



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q64219

Kanji NAKAMURA, et al.

Appln. No.: 09/838,340

Group Art Unit: 3725

Confirmation No.: 1059

Examiner: Waymond D. Bray

Filed: April 20, 2001

For: RECYCLE OF GRINDNG SLUDGE

Elect

#5

9/28/02

Bloss

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action mailed August 26, 2002 in which the Examiner set a shortened statutory period for response by one month, making a reply due on or before September 26, 2002.

In the Action, the Examiner has required restriction under 35 U.S.C. § 121 to one of the following:

Group I Claims 1-38¹ and 38-42, drawn to the method of
and apparatus for compressing sludge, classified in class 100,
subclass 37; and

Group II Claims 34-37, drawn to a compressed sludge
product, classified in class 44, subclass 551.

Applicant hereby elects Group 1, drawn to claims 1-33 and 38-42, without traverse.

Applicant reserves the right to file a divisional application on the non-elected claims.

¹ Applicants' believe that the Examiner meant claims 1-33.

RECEIVED
SEP 26 2002
TECHNOLOGY CENTER R3700

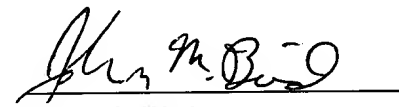
Response to Restriction Requirement
Serial No. 09/838,340
Our Ref: Q64219

Applicants respectfully point out to the Examiner that claim 35 was canceled and that claims 43 and 44 were added in a Preliminary Amendment dated June 8, 2001. Applicants respectfully request that the Examiner consider the Preliminary Amendment which was previously filed.

In view of the foregoing, Applicant believes that a complete examination on the merits is now in order. Early and favorable action is respectfully requested.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


John M. Bird
Registration No. 46,027

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: September 25, 2002